



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Cheng et al.

**Application No.:** 09/925,356

**Filed:** August 9, 2001

For: PROCESS OF FORMING FIELD  
EMISSION ELECTRODE FOR  
MANUFACTURING FIELD EMISSION

Group: Not Yet Known

Examiner: Not Yet Known

Our File: DEE-PT028

Date: August 24, 2001

**COMMUNICATION PURSUANT TO 37 C.F.R. §1.31(c)  
CORRECTING ENTITY STATUS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-identified application was filed in good faith claiming small entity status, but it has now been discovered that the claim was erroneously made. Applicants' Assignee

§1.31(c).

There was a miscommunication between Applicants' U.S. counsel and Applicants' Taiwanese counsel which lead Applicants' U.S. counsel to believe that small entity status was appropriate. Applicants' U.S. counsel has now been advised that the claimed small entity status is not correct and has taken this immediate action to remedy same pursuant to the provisions of 37 C.F.R. §1.31(c).

08/29/2001 TGEDAMU1 00000003 09925356  
Adjustment date: 08/29/2001 TGEDAMU1 00000034 09925356  
08/13/2001 TGEDAMU1 00000034 09925356  
01 FC:101 01 FC:101 710.00 0P  
02 FC:102 02 FC:102 80.00 0P  
01 FC:201 -355.00 0P  
02 FC:202 -40.00 0P

**Applicant:** Cheng et al.  
**Application No.:** 09/925,356

If there are any questions concerning this issue, please contact the undersigned.

Respectfully submitted,

Cheng et al.

By

C. Frederick Koenig III, Esquire  
Registration No. 29,662  
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Volpe and Koenig, P.C.  
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1617 John F. Kennedy Boulevard  
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CFK/fap



Please type a plus sign (+) inside this box →

PTO/SB/21 (06-00)  
Approved for use through 10/31/2002. OMB 0651-0031

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08-08-08-01 11

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/925,356
		Filing Date	August 9, 2001
		First Named Inventor	Cheng et al.
		Group Art Unit	Not Yet Known
		Examiner Name	Not Yet Known
Total Number of Pages in This Submission	5	Attorney Docket Number	DEE-PT028

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Communication Re Entity Status (2 pgs.).
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

Firm or Individual name	C. Frederick Koenig III, Esquire Volpe and Koenig, P.C.	Reg. No. 29,662
Signature		
Date	August 24, 2001	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope  
addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

August 24, 2001

Typed or printed name	C. Frederick Koenig III, Esquire	
Signature		
Date	August 24, 2001	

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Volpe and Koenig, P.C. Revision of

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	395.00
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## Complete if Known

Application Number	09/925,356
Filing Date	August 9, 2001
First Named Inventor	Cheng et al.
Examiner Name	Not Yet Known
Group Art Unit	Not Yet Known
Attorney Docket No.	DEE-PT028

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **22-0493**

Deposit Account Name **Volpe and Koenig, P.C.**

Charge Any Deficiency or Credit any Overpayment in the Total Fees Associated with this Communication

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity			
Fee Code (\$)	Fee Code (\$)			
101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

### Fee Paid

**SUBTOTAL (1) (\$0)**

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
<input type="text"/>	<input type="text"/>	<input type="text"/> ** <input type="text"/>	<input type="text"/> X <input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/> ** <input type="text"/>	<input type="text"/> X <input type="text"/>	<input type="text"/>
<input type="text"/> = <input type="text"/>				

Large Entity Small Entity

103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$0)**

\*\* or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee Code (\$)	Fee Code (\$)				
105	130	205	65	Surcharge - late filing fee or oath	<input type="text"/>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139	130	Non-English specification	<input type="text"/>
147	2,520	147	2,520	For filing a request for ex parte reexamination	<input type="text"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215	55	Extension for reply within first month	<input type="text"/>
116	390	216	195	Extension for reply within second month	<input type="text"/>
117	890	217	445	Extension for reply within third month	<input type="text"/>
118	1,390	218	695	Extension for reply within fourth month	<input type="text"/>
128	1,890	228	945	Extension for reply within fifth month	<input type="text"/>
119	310	219	155	Notice of Appeal	<input type="text"/>
120	310	220	155	Filing a brief in support of an appeal	<input type="text"/>
121	270	221	135	Request for oral hearing	<input type="text"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input type="text"/>
140	110	240	55	Petition to revive - unavoidable	<input type="text"/>
141	1,240	241	620	Petition to revive - unintentional	<input type="text"/>
142	1,240	242	620	Utility issue fee (or reissue)	<input type="text"/>
143	440	243	220	Design issue fee	<input type="text"/>
144	600	244	300	Plant issue fee	<input type="text"/>
122	130	122	130	Petitions to the Commissioner	<input type="text"/>
123	50	123	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126	180	Submission of Information Disclosure Stmt	<input type="text"/>

146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify) **Large Entity Fee Deficiency**

**395.00**

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$ 395.00)**

## SUBMITTED BY

Name (Print/Type)	C. Frederick Koenig III, Esquire	Registration No. (Attorney/Agent)	29,662	Telephone	215-568-6400
Signature				Date	August 24, 2001

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